



Docket: 2931 (203-3624)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Reschke, et al.

EXAMINER: Michael F. Peffley

SERIAL NO.: 10/718,113

GROUP: Art Unit 3739

FILED: November 20, 2003

DATED: July 21, 2006

TITLE: **ELECTROSURGICAL PENCIL
WITH IMPROVED CONTROLS**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

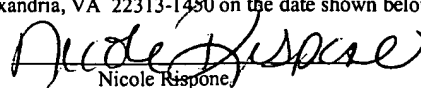
Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO/SB/08A is brought to the attention of the Examiner. Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: July 21, 2006

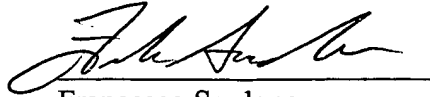

Nicole Risponi

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☒ [X] This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ [] This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☐ [] To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ [] Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ [] Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).
- ☐ [] Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ [] Please charge the \$130.00 petition fee to Deposit Account No. 21-0550.
- ☐ [] Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ [] Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.
- ☒ [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor.

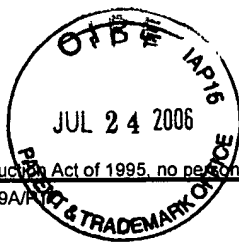
The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Francesco Sardone', is written over a horizontal line.

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Substitute for form 1449A/P

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

Application Number	10/718,113
Filing Date	November 20, 2003
First Named Inventor	Reschke, et al
Art Unit	3739
Examiner Name	Michael F. Peffley
Attorney Docket Number	2931 (203-3624)

U.S. PATENT DOCUMENTS WITHOUT REFERENCES

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		3,219,029	11-23-1965	RICHARDS et al.	
		4,606,342	08-19-1986	ZAMBA et al.	
		5,431,645	7/11/1995	SMITH et al.	
		5,788,688 A	08-04-1988	BAUER, et al.	
		6,955,674	10/18/2005	EICK et al.	
		2003/0032950 A1	2/13/2003	ALTSHULER et al.	
		2003/0212397 A1	11/13/2003	AVRAHAMI et al.	
		2004/124964 A1	07-01-2004	WANG YULUN et al.	
		2004/143677 A1	07-22-2004	NOVAK PAVEL	
		2004/172011 A1	09-02-2004	WANG YULUN et al.	
		2005/149001 A1	07-07-2005	UCHIKUBO AKINOBU et al.	

FOREIGN PATENT DOCUMENTS WITH REFERENCES

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 186 369 A	07-02-1986	Valleylab, Inc.		
		DE 24 29 021 A1	01-08-1976	Erbe Elektromedizin KG		Y

OTHER DOCUMENTS

Examiner Initials*	Cite No.1		T ²
		Copy of ISR from EP 05019882.9 dated February 16, 2006.	
		Copy of ISR from EP 05021777.7 dated February 23, 2006.	

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	